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Attorney's Docket No.: 13837-042001

#24/Revoc. P/A
10/26/02
C. Moore

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Huang et al.

Art Unit : Unknown

Serial No. : 10/075,333

Examiner : Unknown

Filed : February 14, 2002

Title : OPTICAL POLARIZATION BEAM SPLITTER/COMBINER WITH
ISOLATION IN THE BACKWARD OPTICAL PATH

Commissioner for Patents
Washington, D.C. 20231

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REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) FINISAR CORPORATION, a Delaware corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☐ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel __, Frame _ on __.

☒ A chain of title from the inventors of the patent application identified above, to the current assignee as shown below. Copies of the assignments or other documents in the chain of title are attached.

1. From Yonglin Huang, Qi Deng and Liren Du to New Focus, Inc. recorded in the Patent and Trademark Office at Reel 012618, Frame 0899 on 02/14/2002.

2. From New Focus, Inc. to Finisar, Inc. A copy of said assignment is attached hereto.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

August 23, 2002

Signature

Gina Maldonado

GINA MALDONADO

Typed or Printed Name of Person Signing Certificate

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee. The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

| | | | |
|----------------------|-----------------|------------------------|-----------------|
| Frederick H. Rabin | Reg. No. 24,488 | Andrew T. D'Amico | Reg. No. 33,375 |
| John B. Pegram | Reg. No. 25,198 | Stephan J. Filipek | Reg. No. 33,384 |
| David R. Francescani | Reg. No. 25,259 | Samuel Borodach | Reg. No. 38,388 |
| William J. Hone | Reg. No. 26,739 | Chris T. Mizumoto | Reg. No. 42,899 |
| Richard P. Ferrara | Reg. No. 30,632 | Stuart Macphail, Ph.D. | Reg. No. 44,217 |
| Andrew N. Parfomak | Reg. No. 32,431 | Paul A. Levy | Reg. No. 45,748 |

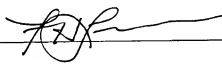
with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

PAUL A. LEVY
FISH & RICHARDSON P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 8/5/02 Signed: 

Print Name: FRANK H. LEVINSON

Title: CTO

PATENT ASSIGNMENT AGREEMENT

WHEREAS, the undersigned, New Focus, Inc., a Delaware corporation, having a place of business at 5215 Hellyer Avenue, San Jose, California 95138 (the "Assignor") is the owner of the entire rights, title and interest in the patent properties listed on Schedule A (the "Assigned Patent Properties"); and

WHEREAS, Finisar Corporation, a Delaware corporation, having a place of business at 1308 Moffett Park Drive, Sunnyvale, California 94089 (the "Assignee"), is desirous of acquiring the Assigned Patent Properties and any rights in the Assigned Patent Properties for the good and valuable consideration set forth in that Intellectual Property Agreement by and between Assignor and Assignee dated May 10, 2002;

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by Assignor to have been received in full from Assignee:

1. Effective upon execution, Assignor does hereby sell, assign, transfer and convey unto Assignee, all of its rights, title and interest together with the benefits and privileges in and to all inventions and discoveries set forth in the Assigned Patent Properties.
2. Assignor hereby covenants and agrees to cooperate with Assignee to enable Assignee to obtain, sustain, enforce and enjoy to the fullest extent all rights, title and interest herein conveyed in any country. Such cooperation by Assignor shall include production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed reasonably necessary or desirable by Assignee, (a) for perfecting in Assignee the rights, title and interest herein conveyed; (b) for filing and prosecuting substitute, divisional, continuing or additional applications covering the Assigned Patent Properties; (c) for filing and prosecuting applications for re-issuance of any of the Assigned Patent Properties; (d) for interference or other priority proceedings involving the Assigned Patent Properties; and (e) for legal proceedings involving the Assigned Patent Properties for infringement actions and court actions; provided, however, that the expense incurred by Assignor in providing such cooperation shall be paid for by Assignee. In the event that Assignee is unable for any reason to secure Assignor's signature to any document required to apply for or execute any patent applications or patents (including improvements, renewals, extensions, continuations, divisions or continuations in part thereof), Assignor hereby irrevocably designates and appoints Assignee and its duly authorized officers and agents as Assignor's agent and attorney-in-fact to act for and in their behalf, and instead of Assignor, to execute and file any such applications and to do all other lawfully permitted acts to further the perfection, prosecution and issuance of patents or other rights therein with the same legal force and effect as if executed by Assignor.
3. Assignor warrants that they have not knowingly conveyed and shall not convey to others any rights in said inventions, discoveries, applications, patents or Assigned Patent Properties; and warrants that they have good right to assign the same to Assignee without encumbrance.
4. The terms and covenants of this Patent Assignment Agreement shall inure to the benefit of Assignee, its successors and assigns, and shall be binding upon Assignor and its successors and assigns.

IN WITNESS WHEREOF, Assignor has executed and delivered this instrument to Assignee effective the
10th day of May, 2002.

ASSIGNOR: New Focus, Inc.

Today's

Date: 10 May 2002

By: [Signature]

Title: Vice President, Operations

STATE OF CALIFORNIA

COUNTY OF Santa Clara ss.

On May 10, 2002 before me, Carol Burke Notary Public, personally
appeared Nadine Vilalobos, personally known or proved to me on the basis of
satisfactory evidence to be the person whose name is subscribed to the within instrument and
acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her
signature on the instrument the person, or the entity upon behalf of which the person acted, executed the
instrument.

Witness my hand and official seal.

Carol Burke
Notary Public



ASSIGNEE: Finisar Corporation

By: *Jerin Sauls*

Title: President + CEO

STATE OF CALIFORNIA

COUNTY OF Santa Clara } ss.

On June 5, 2002 before me, Christina Chiang, Notary Public, personally appeared Jerin Sauls, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Notary Public



Schedule A
Assigned Patent Properties

Passives IP
US Patents
Patent #

| Title | Inventors | Patent Issue Date | Responsible Firm and Attorney | Status |
|--|----------------------------|-------------------------|-------------------------------------|--------------------------------|
| 8,049,426 (10629-725) Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 04/11/00 | WSGR, David Abraham | Maintenance Fee due 10/11/2003 |
| 8,052,228 (10629-789) Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 04/16/00 | WSGR, David Abraham | Maintenance Fee due 10/16/2003 |
| 8,175,448 (10629-729) Optical Circulators Using Beam Angle Turners | Ping Xie, Yonglin Huang | 01/16/01 | WSGR, David Abraham | Maintenance Fee due 07/16/2004 |
| 8,212,008 (10629-765) Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 04/03/01 | WSGR, David Abraham | Maintenance Fee due 10/03/2004 |
| 8,282,025 (NFCS-00- 001) Optical Polarization Beam Combiner/Splitter | Yonglin Huang, Ping Xie | 08/28/01 | Sierra Patent Group, Tim Brisson | Maintenance Fee due 02/28/05 |
| 8,285,498 (10829-782) Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 08/04/01 | WSGR, David Abraham | Maintenance Fee due 03/04/2005 |
| 8,331,913 (NFCS-00- 017) Optical Polarization Beam Combiner/Splitter | Yonglin Huang, Ping Xie | 12/18/01 | Sierra Patent Group, Tim Brisson | Maintenance Fee due 08/18/2005 |
| 8,363,190 (NFCS-98- 007) Polarization Insensitive Fixed Fiber Coupler Method and Apparatus | Peter Chen | 03/26/02 | Sierra Patent Group, Tim Brisson | Maintenance Fee due 09/26/2006 |
| 8,373,831 (NFCS-00- 018) Optical Polarization Beam Combiner/Splitter | Yonglin Huang, Ping Xie | 04/16/02 | Sierra Patent Group, Tim Brisson | Maintenance Fee due 10/16/2005 |

| 6,373,604 (NFC1P016) | Optical MUX/DEMUX | Ping Xia | 04/18/02 | Cary & Kelly, Charles Cary | Maintenance Fee due 10/16/2005 |
|--|---|---------------|---------------|---|--|
| US Patent Applications Filed Identification Title | Inventors | Date Filed | Application # | Responsible Firm and Attorney | |
| NF00032 (1,0629-789) NF00042US (5717-01100) | Ping Xia, Yonglin Huang Ping Xia, Xonglin Huang, Peter Chen | 07/01/99 | 09344,639 | WSGR, David Abraham | Case has gone abandoned |
| NFCS-95-004 | Microband Fused Fiber Coupler Method and Apparatus | 12/10/99 | 09345,658 | Conley, Rose & Teyon, Noel Kivlin | Reply to Office Action due 09/05/2002 |
| NFC1P016X1 | Passive Thermal Stabilization For An Optical MUX/DEMUX | 12/22/99 | 09471,583 | Sierra Patent Group, Tim Brisson | Reply to Office Action due 04/30/02 |
| NFCS-99-005 | Thermal Compensated Compact Bragg Grating Filter | 01/09/00 | 09479,455 | Cary & Kelly, Charles Cary | N/A |
| NFCS-99-003 | A Miniature Dense Wavelength Division Multiplexer Using Microband Couplers | 02/17/00 | 09490,719 | Sierra Patent Group, Tim Brisson | N/A |
| NFCS-00-011 | Fiber Optical Pigtail Geometry For Improved Extinction Ratio of Polarization Maintaining Fibers | 07/07/00 | 09481,268 | Sierra Patent Group, Tim Brisson | Reply to Office Action due 05/18/02 |
| NFC1P018 | Method and Apparatus for Compensating an Optical Filter | 07/17/00 | 09481,736 | Sierra Patent Group, Tim Brisson | N/A |
| NFC1P028 | A Method And Apparatus For Parallel Optical Processing | 07/18/00 | 09481,790 | Cary & Kelly, Charles Cary | Notice of Allowability mailed by USPTO 04/04/02; Notice of Allowance will follow soon. |
| NFCS-00-012 | Improved Polarization Beam Combiner/Splitter | 08/12/00 | 09480,258 | Cary & Kelly, Charles Cary | N/A |
| 10629-784 | Optical Circulators Using Beam Angle Turners | 08/12/00 | 09480,258 | Sierra Patent Group, Tim Brisson | N/A |
| | | 09/08/00 | 09485,654 | WSGR, David Abraham | Reply to Office Action due 05/13/2002 |

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|-------------------------------------|--|---|---------------------|-----------------------------------|--|
| NFCS-00-016 | Optical Polarization Beam Combiner/Splitter | Yonglin Huang, Ping Xia | 10/30/00 09/102,280 | Sierra Patent Group, Tim Brisson | Reply to Office Action due 07/08/02 |
| NF00032 CNT (10628-785) | Compact Optical Isolator Arrays | Ping Xia, Yonglin Huang | 10/13/00 09/687,574 | WSGR, David Abraham | Reply to Office Action due 07/10/2002 |
| NFCS-00-013 | Precision Optical Filter With A Ball-End Joint | Ping Xia, Kevin Zhang, Robert Burn | 11/14/00 09/713,634 | Sierra Patent Group, Tim Brisson | N/A |
| NFC1P028X1 | A Method And Apparatus For Parallel Optical Processing For Dual Port Devices | Ping Xia, Sai Tiscareno | 02/26/01 09/762,920 | Cary & Kelly, Charles Cary | N/A |
| NFC1P039 | Method And Apparatus For An Optical Filter | Ping Xia, Simon Wu, Yellen Mao, Wei Wang, Brad Bellman, Nadim Maluf | 06/11/01 09/676,026 | Cary & Kelly, Charles Cary | N/A |
| NF00096U (NFCS-00-020, NFCS-01-025) | Dual-Stage Optical Isolator Minimized Polarization Mode Dispersion And Simplified Fabrication Process | Yonglin Huang, Liren Du, Meng Ma, Shuyun Huang | 07/05/01 09/800,082 | Sierra Patent Group, Tim Brisson | N/A |
| NF00085U (5717-01301) | Method And Apparatus For A Polarization Beam Splitter/Combiner With An Integrated Optical Isolator | Yonglin Huang, Shuping (Mary) Ma, Meng (Maggie) Ma | 07/05/01 09/800,091 | Conley, Rose & Taylor, Noel Kvlin | N/A |
| NFCS-00-014 | Optical Isolator With Reduced Insertion Loss And Minimized Polarization Mode Dispersion | Yonglin Huang, Ping Xia, Xin Luo, Liren Du | 07/05/01 09/800,713 | Sierra Patent Group, Tim Brisson | N/A |
| NFC1P039C1 P | Method And Apparatus For An Optical Filter | Ping Xia, Simon Wu, Yellen Mao, Wei Wang, Brad Bellman, Nadim Maluf | 06/11/01 09/644,037 | Cary & Kelly, Charles Cary | N/A |
| NFCS-01-027 | Method And Apparatus For Precision Tuning An Optical Filter Using A Ball-End Joint | Kevin Zhang, Ping Xia | 06/28/01 09/841,474 | Sierra Patent Group, Tim Brisson | Foreign Filing due 08/28/02 |
| 16829-802 | Compact Polarization Insensitive Structures with Simplified Structure and Low Polarization Mode Dispersion | Ping Xia, Yonglin Huang | 06/11/01 09/844,593 | WSGR, David Abraham | Received Notice of Publication 03/12/2002, Pub. No. US-2002-0024728-A1 |

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|-------------------------------|---|--|---------------------|---------------------------------|-----------------------------|
| NF10130LS (50923-2000-200) | Mismatched Mode Field Diameter Device | Ping Xie, Kevin Zhang | 10/05/01 09/072,517 | MOFO, Steve Durant | Foreign Filing due 10/05/02 |
| NF10131U (50923-2000-100) | Integrated Pump Combining Module | Ping Xie | 10/05/01 09/072,527 | MOFO, Steve Durant | Foreign Filing due 10/05/02 |
| NF10065 (5717-01601) | Fiber Optical Devices With Extra High Power Handling Capability | Yonglin Huang, Kevin Zhang, Ping Xie | 01/09/02 10/042,935 | Conley, Rose & Teyon, Noel KMin | N/A |
| NF10069 (5717-01401) | Optical Polarization Beam Splitter/Combiner With Isolation In The Backward Optical Path | Yonglin Huang, Qi (Brian) Deng, Lifen Du | 02/14/02 10/075,333 | Conley, Rose & Teyon, Noel KMin | N/A |

Foreign Applications Filed

Responsible Firm and Attorney

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|-------------------------------|--|-------------------------|--|----------------------|------------------------------|---------------------------------------|
| 10829-785 | Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion (also covers Circulators Using Beam Angle Turners) | Ping Xie, Yonglin Huang | 08/17/99 PCT/US99/18739 | PCT Application | WSGR, David Abraham | Application filed in Japan and Europe |
| 10829-800 POT0800EP MJH | Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 08/17/99 99/042,271.0 | European Application | WSGR, David Abraham | N/A |
| 10829-799 | Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 2000-565436 | Japanese Application | WSGR, David Abraham | N/A |
| 10829-790 | Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 10/12/99 PCT/US99/23759 | PCT Application | WSGR, David Abraham | Application filed in Europe |
| P011388EP MJH ZXM | Compact Polarization Insensitive Circulators With Simplified Structure and Low Polarization Mode Dispersion | Ping Xie, Yonglin Huang | 05/11/01 99/060,250.2 (PCT/US99/23759) | European Application | D. Young & Co., Miles Heines | Amend due Oct. 2002 |
| NFC1P016W Q | Optical MUX/DEMUX | Ping Xie | 08/27/00 PCT/US00/41022 | PCT Application | D. Young & Co., Miles | N/A |

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| P011438EP MJH ZXIM | Optical MUX/DEMUX | Ping Xie | 05/08/01 | 00892467.1 PCT/US0041022 | European Application | Haines D. Young & Co., Miles Haines | Annuity due Sep. 2002 |
| 5717-01101 (NFGS-99- 008PCT) | Integrated Isolator Fused Coupler Method And Apparatus | Ping Xie, Yonglin Huang, Peler Chen | 12/05/00 | PCT/US00/33051 | PCT Application | Convey, Rose & Teyon, Noel Kivlin | National Phase filing due 05/10/02 |
| NEI0051PCT (NFGS-00- 011PCT) | Flex Optical Pigtail Geometry For Improved Extinction Ratio And Polarization Maintaining Fibers | Ping Xie, Yonglin Huang, Sai Tiscareno | 07/11/00 | PCT/US01/22762 | PCT Application | Sierra Patent Group, Tim Brisson | File response to options if any by 08/17/02; Ch. II, National Phase Filing due 1 month, 12/17/02 |
| NEI0058PCT (NFGS-99- 013PCT) | Precision Optical Filter With Ball-End Joint | Ping Xie, Kevin Zhang, Robert Burn | 11/09/01 | PCT/US01/51189 | PCT Application | Sierra Patent Group, Tim Brisson | Correct Defects due 05/04/2002; Ch. II Demand due 08/14/02; File response to options if any by 12/14/02 |
| NFGS-00- 014PCT | Optical Isolator With Reduced Insertion Loss And Minimized Polarization Mode Dispersion | Yonglin Huang, Ping Xie, Xin Luo, Liren Du | 10/03/01 | PCT/US01/31680 | PCT Application | Sierra Patent Group, Tim Brisson | Ch. II Demand due 05/13/02; File response to options if any by 11/13/02 |

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| NF010095U (5717-01302) (NFCS-01-024) | Method And Apparatus For A Polarization Beam Splitter/Combiner With An Integrated Optical Isolator | Yonglin Huang, Shuqing (Mary) Ma, Meng (Maggie) Ma | 95/10/02/PCT/US02/00801 | PCT Application | Conley, Rose & Tayon, Noel Kvlin | Ch. II Demand due 08/1/02; if Ch. II Demand not filed then National Phase filing due 09/10/02 |
| NFC1P035C1 PWO | Method And Apparatus For An Optical Filter | Ping Xia, Simon Wu, Yalan Mao, Wei Wang, Brad Beltman, Nadim Malik | 02/08/02/PCT/US02/03717 | PCT Application | Cary & Kelly, Charles Cary | Ch. II Demand due 09/1/02; if Ch. II Demand not filed then National Phase filing due 10/14/02 |
| NF010095PCT (5717-01402) (NFCS-01-023P) | Optical Polarization Beam Splitter/Combiner With Isolation In The Backward Optical Path | Yonglin Huang, Qi (Brien) Deng, Liven Du | 02/14/02/PCT/US02/04215 | PCT Application | Conley, Rose & Tayon, Noel Kvlin | Ch. II Demand due 09/1/02; if Ch. II Demand not filed then National Phase filing due 10/14/02 |

Provisional Applications

| | | | | | |
|-------------------------------|--|---|---------------------------|-------------------------|---------------------------|
| NFC1P035P | Low Dispersion, Low Channel Crosstalk Interferer | Ping Xia, Simon Wu, Yalan Mao, Wei Wang, Brad Beltman | 07/05/01/603303,705 | Provisional Application | Cary & Kelly Charles Cary |
| NF010150P (50923-3000-900) | Integrated WDM Coupler For Duplex Communication | Yonglin Huang, Shuqing Ma, Qi Deng, Bing Zhang | 03/15/02/Not yet assigned | Provisional Application | MOFO, Steve Durant |

Invention Disclosures

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|-----------------------------|---|--|---|----------------------------|--|
| NF10148 (NFC1P038X 1) | Method And Apparatus For An Optical Multiplexer And Demultiplexer With An Optical Processing Loop | Ping Xie, Simon Wu, Huiheng Rong, Kevin Zheng, Yalan Mao, Wei Wang, Brad Sellman | Disclosure (application has been drafted) | Cary & Kelly, Charles Cary | May want to claim priority to Provisional 60/303,705 filed 07/05/01 or Utility 09/878,028 filed 08/11/01 and 09/844,037 filed 08/23/01 |
| NF10150 (50923-2200-500) | Integrated WDM Coupler For Duplex Communication | Yonglin Huang, Shuqing Ma, Qi Deng, Bing Zhang, Liren Du | Disclosure (application has been drafted) | MOFO, Steve Durant | Will want to claim priority to Provisional filed on 03/15/02 |
| NF10162 | Hybrid Cell | Tengda Du, Xin Luo, Ping Xie, Evan Green | Disclosure | | |
| NF10163 | PIM Coupler | Jian He, Ping Xie | Disclosure | | |
| NF10164 | PDL Loop | Jian He, Ping Xie, Chester Chien | Disclosure | | |
| NF10165 | High Channel Isolation WDM | Zhidong Li, Yingsong Wang | Disclosure | | |
| NF10166 | Array PBC | Qi Deng, Liren Du, Shuqing (Mary) Ma, Bing Zhang, Xihuan Wang, Yonglin Huang | Disclosure | | |
| NF10167 | OADM and Array OADM | Liren Du, Xihuan Wang, Bing Zhang, Qi (Brian) Deng, Shuqing (Mary) Ma, Yonglin Huang | Disclosure | | |

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| NF10168 | Optical Polarization Beam Combiner and Isolator Array | Qi (Brian) Deng, Xiwen Wang, Bing Zhang, Liren Du, Shuqing (Mary) Ma, Yonglin Huang | | | Disclosure | | |
| NF10169 | Polarization Beam Combiner and Isolator Collimator with Ball-Joint for Better Optical Alignment and Bonding | Qi (Brian) Deng | | | Disclosure | | |